

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TRACY BROADCASTING CORP.,**

**Plaintiff,**

**VS.**

**SPECTRUM SCAN,**

**Defendant.**

**8:06CV336**

## ORDER

This matter is before the court on the defendant's Motion for Leave to Amend Counterclaim (Filing No. 17). The defendant failed to comply with NECivR 15.1(a). Accordingly, the defendant shall file a supplement to the motion. The defendant only filed the amended portion of the amended counterclaim, however such a partial pleading does not conform with the local rules. **See** NECivR 15.1(a) ("the proposed amended pleading must be a complete pleading which, if allowed to be filed, supersedes the pleading amended in all respects."). Further, the defendant shall file a brief setting forth the specific amendments proposed and shall state whether the motion is opposed. **See** NECivR 15.1(a). If the defendant's motion is opposed, the defendant shall also comply with the briefing requirements in NECivR 7.1(a)(1). Upon consideration,

**IT IS ORDERED:**

1. The defendant's Motion for Leave to Amend Counterclaim (Filing No. 17) is held in abeyance pending compliance with NECivR 15.1(a) and/or NECivR 7.1(a)(1). The defendant shall have to **on or before October 12, 2006**, to file the supplemental documents as described above. Otherwise, the defendant's motion will be deemed abandoned and denied.

2. If opposed, the plaintiff shall have **ten (10) business days** after the defendant's supplemental documents are filed to file any opposition to the motion. The defendant shall have **five(5) business days** thereafter to file a reply.

DATED this 2nd day of October, 2006.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge